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SUBJECT: LIBERIA -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. (A) STATE 59732
[B.](#) (B) STATE 005577

¶1. This is an action cable; see paras 5 through 7 and 10.

¶2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

¶3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Liberia of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Liberia, and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/not precede the Secretary's release at 10:00 am EDT on June 16.

¶4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

¶5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Liberia of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

¶6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Liberia's country narrative in the 2009 TIP Report:

Liberia (TIER 2)

Liberia is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Most victims are trafficked within the country, primarily from rural to urban areas for domestic servitude, forced street vending, forced begging by religious instructors and sexual exploitation in brothels or private apartments. Children may also be trafficked for labor on rubber plantations and in alluvial diamond mines. Some children in Liberia are subjected to sexual exploitation by international peacekeeping troops and personnel from international organizations. A January 2009 UN report indicates, however, that such abuses are declining.

Internationally, children are trafficked to Liberia from Sierra Leone, Guinea, and Cote d'Ivoire and from Liberia to Cote d'Ivoire, Guinea, and Nigeria for domestic servitude, street vending, sexual exploitation, agricultural labor, and forced begging.

Liberia continues to struggle to rebuild after 14 years of civil conflict that crippled the nation's economy and institutions and increased the vulnerability of children to being trafficked. During its period of reconstruction, Liberia has taken some steps to address trafficking, but more needs to be done.

The Government of Liberia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Although the government made limited progress in its efforts to combat trafficking through law enforcement and victim protection measures, its overall anti-trafficking performance remained low.

Recommendations for Liberia: Increase efforts to prosecute and punish trafficking offenders; allocate increased funding for basic anti-trafficking law enforcement and victim protection needs; combat the trafficking complicity of government personnel in the criminal justice system; educate judges about the law prohibiting trafficking; and increase efforts to educate the public about trafficking.

Prosecution

The Government of Liberia demonstrated slightly increased law enforcement efforts to combat trafficking over the last year.

Liberia's 2005 Act to Ban Trafficking prohibits all forms of trafficking, prescribing a minimum penalty of one year's imprisonment for labor trafficking of adults, six years, imprisonment for child labor trafficking, and 11 to 16 years, imprisonment for child sex trafficking. These penalties are sufficiently stringent and commensurate with other grave crimes, such as rape. No trafficking offenders have yet been convicted or sentenced under this law. The government reported investigating 18 cases of trafficking and arresting nine suspects. Four child trafficking suspects are being tried and five are awaiting trial. During the year, the government extradited two traffickers to Guinea. The criminal justice system remains handicapped by shortages in

human and material resources: police lacked vehicles to respond to trafficking reports, and courts lacked prosecutors. Police officers were sometimes required to play the role of prosecutor, and judges were often unaware of the law against trafficking. NGO reports also indicate that police, many of whom are poorly or infrequently paid, asked victims for compensation in exchange for bringing charges against suspected traffickers. Moreover, trafficking suspects reportedly bribed police in return for the dropping of criminal charges. The government adopted a revised national action plan to combat trafficking that expands the role of the National Human Trafficking Task Force, which had previously focused on awareness-raising, in investigating and prosecuting trafficking crimes. Established in 2006, the Task Force is chaired by the Ministry of Labor (MOL) and consists of government ministries, the Inspector General of Police, and the Commissioner of Immigration. Implementing this plan, in late 2008, Task Force members, including representatives from the Ministries of Labor and Health, accompanied the Liberia National Police on trafficking investigations of religious schools where children are often subjected to forced begging. An MOL attorney, whose position is funded by a donor, also accompanied government officials to court to provide guidance in prosecuting trafficking offenders during the year. Through the Joint Program on Sexual and Gender-based Violence, developed by the government and the UN in June 2008, a court was established to address sexual and gender-based violence offences, including sexually exploitative activities by peacekeepers.

Protection

Liberia demonstrated minimal efforts to protect trafficking victims during the year. The government did not operate its own victim shelters or provide direct assistance to victims due to resource constraints. The Liberian National Police rescued 50 Liberian, Sierra Leonean, and Guinean children from a religious school in Lofa, where they were being forced to beg. Police referred the children to an NGO-operated safe house for care and the government has shut down the school. Immigration officials worked with the Task Force to ensure the entry back into Liberia of a 17-year-old male victim, who was repatriated from Niger. Once back in Liberia, the Ministry of Health reunited him with his family. The government worked with Guinean officials to repatriate a child victim back to Guinea.

The MOL used its operational funds to provide training for government immigration officials, police commanders, and the Police Women and Children Protection Section in identifying victims. The government did not encourage victims, all of whom are children, to assist in trafficking investigations or prosecutions. Law enforcement officials did not employ formal procedures for identifying trafficking victims among females in prostitution. The government did not provide legal alternatives to the removal of foreign victims to countries where they might have faced hardship or retribution. Victims were not, however, inappropriately incarcerated, fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Liberia made modest efforts to educate the public about trafficking. The MOL conducted multiple anti-trafficking awareness campaigns aimed primarily at parents and community leaders during the year, the majority of which it funded. The National Human Trafficking Task Force continued to raise awareness about trafficking through radio broadcasts funded by the MOL and broadcast on UN-donated air time. In an effort funded by the MOL and NGOs, the Task Force also went into local communities to hold one-day workshops to explain the effects of trafficking on communities. The Task Force met monthly and more frequently if required by newly developed cases. The government did not take steps to reduce demand for forced labor or for commercial sex acts.

¶9. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier ¶3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance

and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or though the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why is Liberia on Tier 2?

A: The Government of Liberia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Although the government made limited progress in its efforts to combat trafficking through law enforcement and victim protection measures, its overall anti-trafficking performance remained low.

Q2: What progress has Liberia made in the past year?

A: The government reported investigating 18 cases of trafficking and arresting nine suspects. Four child trafficking suspects are being tried and five are awaiting trial. During the year, the government extradited two suspected traffickers to Guinea. The government adopted a revised national action plan to combat trafficking that expands the role of the National Human Trafficking Task

Force, which had previously focused on awareness-raising, in investigating and prosecuting trafficking crimes. In late 2008 representatives from the Ministries of Labor and Health accompanied the Liberia National Police on trafficking investigations of religious schools where children are often subjected to forced begging. The Liberian National Police rescued 50 Liberian, Sierra Leonean, and Guinean children from a religious school in Lofa, where they were being forced to beg. Police referred the children to an NGO-operated safe house for care and the government has shut down the school. Immigration officials worked with the Task Force to ensure the entry back into Liberia of a 17-year-old male victim, who was repatriated from Niger. The National Human Trafficking Task Force continued to raise awareness about trafficking through radio broadcasts funded by the Ministry of Labor.

Q3: What can Liberia do to further the fight against trafficking in persons?

A: Increase efforts to prosecute and punish trafficking offenders; allocate increased funding for basic anti-trafficking law enforcement and victim protection needs; combat the trafficking complicity of government personnel in the criminal justice system; educate judges about the law prohibiting trafficking; and increase efforts to educate the public about trafficking.

¶112. The Department appreciates posts, assistance with the preceding action requests.

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